

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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4-25-01
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IN RE SUMMIT TECHNOLOGY
SECURITIES LITIGATION

THIS DOCUMENT RELATED TO:

ALL ACTIONS

Civil Action No. 96-11589-JLT

**FINAL ORDER AND JUDGMENT AWARDING ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES AND COMPENSATORY AWARDS**

The Court having held the Settlement Hearing on April 25, 2001 and having considered all prior proceedings in the Litigation and all submissions made in connection with the proposed Settlement;

NOW, THEREFORE, it is ORDERED, ADJUDGED and DECREED that:

1. The Court has jurisdiction over the subject matter of the Litigation and over all parties to the Litigation, including all Class members.

2. Plaintiffs' Lead Counsel are awarded the sum of \$ **Three Million Three**
in fees, equivalent to **33** % of the Settlement Fund. This fee shall be awarded as
provided in the Settlement Agreement together with interest earned on the Settlement
Fund from the date of the deposit to the date of payment. Plaintiffs' Lead Counsel shall
in their sole discretion, allocate the award of attorneys' fees to all Plaintiffs' Classes
Counsel in the amounts Plaintiffs' Lead Counsel deems appropriate based upon the work
performed and contribution made to the Litigation of the action by the non-lead counsel.

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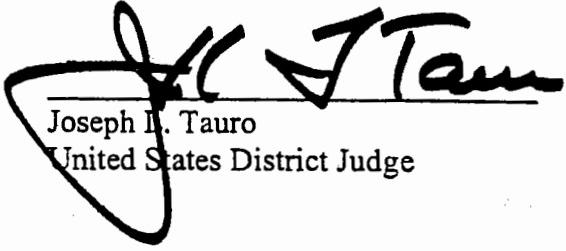
3. Plaintiffs' Lead Counsel are further awarded \$ ~~one million two thousand two hundred and two thousand~~ ^{as} reimbursement for their reasonable out-of-pocket expenses incurred in the prosecution of this Litigation, to be paid out of the Settlement Fund.

4. Lead Plaintiffs Peter and Gloria Babigian, Scott Burke, Joseph Conzola and the Teachers' Retirement System of Louisiana and Class Plaintiffs G.O. Morphew and William E. Myers shall receive \$ ~~one thousand and three hundred and~~ ^{forty one thousand and three hundred and} ~~forty~~ ^{forty}, collectively for undertaking representation of the Classes, and for assistance provided to Plaintiffs' Lead Counsel in the course of the litigation. The monies awarded to each of these Lead Plaintiffs and Class Plaintiffs shall be in addition to each of their proportionate shares of the Settlement Fund.

5. The foregoing awards of fees and expenses shall be paid out of the Settlement Fund and distributed at the times and in the manner provided in the Settlement Agreement.

6. Without affecting the finality of this Final Order and Judgment, the Court hereby retains exclusive jurisdiction over the Litigation and the parties to the Settlement for all matters related to this Litigation, including the administration, interpretation, effectuation or enforcement of the Settlement Agreement and this Judgment, and including any application for fees and expenses incurred in connection with the administration and distribution of the Settlement Fund to the Classes.

Dated: 4/25/, 2001


Joseph L. Tauro
United States District Judge